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GROUP 1700

PATENT APPLICATION

1701

00839.000443

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TOMOYA YAMAMOTO et al.

Application No.: 09/804,191

Filed: March 13, 2001

For: PROCESS FOR PRODUCING AN
ELECTRODE MATERIAL FOR A
RECHARGEABLE LITHIUM BATTERY,
AN ELECTRODE STRUCTURAL BODY
FOR A RECHARGEABLE LITHIUM
BATTERY, PROCESS FOR PRODUCING:
SAID ELECTRODE STRUCTURAL
BODY, A RECHARGEABLE LITHIUM
BATTERY IN WHICH SAID
ELECTRODE STRUCTURAL BODY IS
USED, AND A PROCESS FOR
PRODUCING SAID RECHARGEABLE
LITHIUM BATTERY

)
:
) Examiner: K. Vijayakumar

) Group Art Unit: 7863

) Monday, May 12, 2003

#8
5-28-03

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated April 11, 2003 (Paper No. 7), for
which a response is due Monday May 12, 2003, Applicants provisionally elects Group I,

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on

May 12, 2003

(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622

(Name of Attorney for Applicant)

Signature

May 12, 2003

Date of Signature

namely Claims 1 to 66 and 72 to 74. The Restriction Requirement, however, is traversed.

Traversal of the restriction requirement is on the ground that there would not be undue burden in examining the four groups of claims in a single application. In particular, MPEP § 808 makes it clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I, II, III and IV in a single application, since the four groups of claims are not so unrelated as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Attorney for Applicants

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